

December 19, 2001



Magalie Roman Salas  
Secretary  
Federal Communications Commission  
TW-A325  
445 Twelfth St., SW  
Washington, DC 20554

Re: *Ex parte* presentation in: CS Docket No. 00-30

Dear Ms. Salas:

On December 18, 2001, on behalf of Media Access Project's clients Consumers Union, Consumer Federation of America, and the Center for Digital Democracy, I met with Sam Feder, Interim Senior Legal Advisor to Commissioner Martin. In regard to the above captioned matter, I urged that the Commission should grant the petition for review filed by Texas.net and remand the matter to the Cable Services Bureau (CSB) for a determination on the merits. I stated that the language of the Commission's *Order* approving the merger of AOL and Time Warner clearly incorporated the FTC's consent decree and imposed an additional requirement to negotiate in good faith, and that Paragraphs 93-100 demonstrate the Commission's concern that the negotiations would not take place at all without a good faith requirement.

In accordance with Section 1.1206(b), 47 C.F.R. § 1.1206, this letter is being filed electronically with your office today.

Sincerely,

Harold Feld  
Associate Director

cc: Sam Feder